

Certificate of Notice Page 1 of 3
 United States Bankruptcy Court
 Eastern District of Pennsylvania

In re:
 Franklin Albert Bennett, III
 Debtor

Case No. 16-14281-elf
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2

User: Denine
 Form ID: pdf900

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Jan 05, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 07, 2017.

13826907 +Ford Credit, 1060 Andrew Drive, Suite 170, West Chester, Pa 19380-5601

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 07, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 5, 2017 at the address(es) listed below:

ALEXANDRA T. GARCIA on behalf of Creditor BANK OF AMERICA, N.A. ecfmail@mwclaw.com

ANN E. SWARTZ on behalf of Creditor Bank of America, N.A. ecfmail@mwclaw.com,
ecfmail@mwclaw.com

ANN E. SWARTZ on behalf of Creditor BANK OF AMERICA, N.A. ecfmail@mwclaw.com,
ecfmail@mwclaw.com

DENISE ELIZABETH CARLON on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION (TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, PURSUANT TO A TRUST INDENTURE DATED AS OF APRIL 1, 1982)
bkgroup@kmlawgroup.com

FRANKLIN A. BENNETT, III on behalf of Debtor Franklin Albert Bennett, III frank@bennettlaw.us,
robert@bennettlaw.us

JEROME B. BLANK on behalf of Creditor HSBC Bank Usa, N.A., As Trustee Etal paeb@fedphe.com

JOSEPH ANGELO DESSOYE on behalf of Creditor HSBC Bank Usa, N.A., As Trustee Etal
paeb@fedphe.com

MARIO J. HANYON on behalf of Creditor HSBC Bank Usa, N.A., As Trustee Etal paeb@fedphe.com

PAMELA ELCHERT THURMOND on behalf of Creditor City of Philadelphia pamela.thurmond@phila.gov,
james.feighan@phila.gov

United States Trustee USTPRegion03.PH.ECF@usdoj.gov

WILLIAM C. MILLER on behalf of Trustee WILLIAM C. MILLER ecfemails@phl3trustee.com,
philaecf@gmail.com

WILLIAM C. MILLER ecfemails@phl3trustee.com, philaecf@gmail.com

TOTAL: 12

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: : **Chapter 13**
: **FRANKLIN ALBERT BENNETT, III,** :
: **Debtor** : **Bky. No. 16-14281 ELF**

ORDER

AND NOW, Ford Motor Credit Co. having filed a proof of claim docketed on the Claims Register as Claim No. 9;

AND, the Debtor having filed an objection ("the Objection") to Claim No. 9;

AND, after a hearing;

It is hereby **ORDERED** that:

1. The Objection is **SUSTAINED IN PART and OVERRULED IN PART**.
2. Claim No. 9 is **ALLOWED** as a general unsecured unsecured claim in the amount of **\$2,138.26**.¹

¹ The claim is based on a motor vehicle sales finance agreement dated October 20, 2010. Under the agreement, the Debtor financed \$17,657.40 for the purchase of an automobile and agreed to make 48 monthly payments of \$448.54. The first payment fell due in December 2010.

Based on the limited record made at the hearing, I infer that the Debtor's default occurred in thirty (30) months into the loan: in June 2013, four (4) months before the October 2013 re-sale of the automobile by the lender (following repossession).

Based on an amortization of the debt, the unpaid balance of the loan following the acceleration of the debt and repossession in June 2013 was \$7,395.42. Interest at the legal rate of 6% for the four (4) months between repossession and re-sale increased the debt by \$147.91 (\$7,395.42 multiplied by 6% divided by 12 multiplied by 4), resulting in a balance of \$7,543.33 as of the October re-sale. That re-sale netted \$5,700.00, reducing the debt to \$1,843.33.

The claimant is entitled to interest at the legal rate from October 2013 through the filing of the Debtor's bankruptcy case in June 2016. That additional interest is \$294.49 (\$1,843.33 multiplied by 6%, divided by 12, multiplied by 32 months). Therefore, the total claim amounts to \$2,138.26 (\$1,843.33 plus \$294.49).

Date: January 5, 2017

A handwritten signature in black ink, appearing to read 'ERL', is written above a horizontal line.

**ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE**